

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL MEETING  
TUESDAY- -SEPTEMBER 2, 2008- -7:30 P.M.

Mayor Johnson convened the Regular Meeting at 8:09 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore,  
Matarrese, Tam, and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(08-364) Presentation by East Bay Regional Park District regarding Measure WW on the November 4, 2008 ballot.

Doug Siden, East Bay Regional Park District Board of Director, gave a Power Point presentation and provided a handout.

Vice Mayor Tam stated there is a correlation between population and the amount of allocation; inquired whether funds would go into an earmarked fund within the Park District or whether cities would select projects for funding.

Mr. Siden responded the process is the same as the State's in terms of acquisition.

(08-365) Proclamation declaring the week of September 15 through 21, 2008 as National Pollution Prevention Week 2008 and September 20, 2008 as Coastal Cleanup Day 2008.

Mayor Johnson read and presented the proclamation to Sharol Nelson-Embry, Supervising Naturalist, East Bay Regional Park District Crab Cove Visitor Center.

Ms. Nelson-Embry stated that she is pleased to partner with the City and Alameda County Industries; thanked Council for the proclamation.

(08-366) Presentation of the official poem commemorating the reopening of the Historic Alameda Theater, written by Alameda Poet Laureate Mary Rudge.

The Development Services Manager introduced Poet Laureate Mary Rudge.

Poet Laureate Mary Rudge read the poem.

Mayor Johnson thanked Ms. Rudge for the poem.

Ms. Rudge invited all poets to read their poems at the Main Library on the first Wednesday of every month from 6:00 p.m. to 8:00 p.m.

(08-367) Presentation by the West Alameda Business Association on the Webster Street Jam.

Kathy Moerhing, West Alameda Business Association, presented mugs and wine glasses and provided a handout; stated the name of the festival has been changed to Webster Street Jam because Skippy Peanut Butter is no longer on Webster Street.

(08-368) Presentation regarding the Community Health Action Team and code compliance activities.

The Code Compliance Officer gave a Power Point presentation.

Mayor Johnson stated different methods have been tried with blighted properties in the past; the receivership process has been successful; thanked and congratulated everyone who worked on the matter.

Councilmember Matarrese requested an explanation on decentralized decision making.

The Code Compliance Officer stated Police and Fire Department staff are involved in addition to the Senior Code Compliance Officer and Building Official; a collaborative approach is used for decision making.

Councilmember Matarrese requested an explanation of the receivership process.

The Code Compliance Officer stated property owners are given ample opportunity to comply [with Code Enforcement] requirements; the Court is petitioned when there is no other available remedy, and the community is affected; the Court appoints the receiver, who becomes an agent of the Court; the receiver becomes the master lien holder and rehabilitates the property to minimum code compliance; the receiver reports back to the Court on a monthly basis; the property owner has the opportunity to get the property back, minus the City's legal costs and the receiver's costs; the Judge could order the property to be sold if there is not enough equity if sold; the receiver receives money, the City's legal costs are paid,

and the property owner receives any money left over; the City is not involved once a receiver is appointed.

Mayor Johnson stated the historic Central Avenue structure near Encinal High School was demolished without permits; inquired whether staff considered a receivership for said property.

The Code Compliance Officer responded that the property owner is working with the Planning and Building Department; stated staff is very optimistic that improvements will be made within the next two or three months.

#### CONSENT CALENDAR

Councilmember Matarrese moved approval of the Consent Calendar.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*08-369) Minutes of the Regular City Council Meeting held on August 19, 2008. Approved.

(\*08-370) Ratified bills in the amount of \$3,100,317.95.

(\*08-371) Recommendation to accept the quarterly progress report on implementing the local Action Plan for climate protection. Accepted.

(\*08-372) Resolution No. 14263, "Approving an Amendment of the Joint Exercise of Powers Agreement for the Alameda County Waste Management Authority." Adopted.

#### REGULAR AGENDA ITEMS

(\*08-373) Resolution No. 14264, "Commending Audrey Lord-Hausman for Her Contributions to the Alameda Community." Adopted.

Councilmember Matarrese moved adoption of the resolution.

Vice Mayor Tam seconded the motion, which carried by unanimous voice vote - 5.

Mayor Johnson read the resolution.

Ms. Lord-Hausman thanked Council for the resolution; stated that she has had the pleasure of working with so many committed people.

(08-374) Recommendation to accept the Quarterly Sales Tax Report for the period ending March 31, 2008.

The Interim Finance Director gave a brief presentation.

Mayor Johnson stated first quarter 2008 Alameda Towne Centre sales transactions increased by 11.4% compared to first quarter 2007; current sales tax revenue is less than in 1999; inquired what was the reason for the significant drop in first quarter of 2000.

The City Manager responded Lucent Technology left; stated the numbers are gross sales tax per capita.

Mayor Johnson stated per capita sales tax was \$89.00 for the first quarter in 1998; current per capita sales tax is \$76.00; a lot of work needs to be done; residents are spending money in other communities.

The Interim Finance Director stated sales leakage is high.

Mayor Johnson stated that she is pleased with the numbers for Alameda Towne Centre; the City cannot hang its hat on one tenant at Harbor Bay Business Park.

Councilmember deHaan stated the good news is that business-to-business has increased.

The City Manager stated that a business relocated from San Leandro and contributed to the increase.

Councilmember deHaan stated the Bridgeside Center shows a major increase; the work at Bridgeside has been going on for six years.

Mayor Johnson stated the work at Bridgeside started ten years ago.

The City Manager stated that this is the first time that Alameda Towne Centre has not been reported as being under construction.

Councilmember Matarrese stated staff should be able to measure some Theatre and parking structure investment return soon.

The staff recommendation was approved by consensus.

(08-375) Discuss and take a position on Proposition 11, the California Voters FIRST Act.

The Deputy City Manager gave a brief presentation.

Mayor Johnson inquired whether the Proposition has a formula that the proposed Commission would use to establish districts.

The Deputy City Manager responded the Commission has guidelines.

Mayor Johnson stated the guidelines are vague; that she is not sure whether the measure would solve the problem.

Ms. Quick, League of Women Voters of Alameda, stated there are a series of requirements regarding how the districts would be drawn; districts must be drawn according to clear mapping rules in the following order: 1) equal population between districts, 2) respect for the Voting Rights Act, and 3) respect for County, cities, and communities of interest.

Mayor Johnson inquired whether the Voting Rights Act applies to federal districts also.

Ms. Quick responded in the affirmative; stated Congressional representatives do not want to include Congressional districts; the process is very transparent.

Mayor Johnson stated federal districts are as bad or worse than some of the State districts.

Joanne McKray, League of Women Voters of Alameda, stated the Voting Rights Act is a result of the Civil Rights era to protect minorities from abuse; the courts have not been kind to the Act; the courts state that legislative privilege takes preference over the Voting Rights Act; the Voting Rights Act would be strengthened if the Proposition passes and would be part of the California constitution for the first time.

Mayor Johnson stated the political system is not working very well; that she is worried that the system would be substituted with another political system which would allow people to fight with communities of interest to create voting districts.

Councilmember Matarrese stated that he supports the measure because the redistricting process would be open and has rules.

Councilmember deHaan stated gerrymandering has worsened over the years; that he is surprised that the issue is still discussed.

Ms. McKray stated that California has been dubbed as one of the dirty dozen.

Ms. Quick stated that Hispanic and African American communities

have been cut up because of legislators' self-interests.

Councilmember deHaan stated that he supports the Proposition.

Vice Mayor Tam stated the matter is an issue in Alameda; the Proposition is a substantial improvement; that she was involved in the 2000 redistricting process; everything was done behind closed doors and there was no transparency; the two-thirds vote requirement is one of Sacramento's gridlock symptoms; the Proposition is a good step forward; San Leandro, Berkeley, and Hayward are supportive of the Proposition; supporting the Proposition is appropriate for Alameda.

Vice Mayor Tam moved approval of endorsing Proposition 11.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote - 5.

Mayor Johnson stated closed-door meetings happen at the State level all the time; inquired whether anything can be done about the matter.

Ms. Quick responded the State League of Women Voters addresses the issue often.

Mayor Johnson stated that she does not understand why governments are afraid of being open; Alameda is very open.

#### ORAL COMMUNICATIONS, NON-AGENDA

(08-376) Bill Smith, Alameda, discussed the open meeting process.

(08-377) Mary Rudge, Alameda, thanked the League of Women Voters for the hard work; stated women were not able to vote ninety years ago.

#### COUNCIL REFERRALS

None.

#### COUNCIL COMMUNICATIONS

(08-378) Consideration of Mayor's nominations for appointment to the Youth Advisory Commission.

Mayor Johnson nominated Lamont Carter; stated nominations would be continued for remaining vacancies.

(08-379) Councilmember deHaan stated the Buena Vista Commons has eight new owners as a result of collaborative efforts with Alameda Development Corporation; Habitat for Humanity was the driving force; he hopes that additional partnerships will occur in the future.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the Regular Meeting at 9:40 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL JOINT CITY COUNCIL AND  
PUBLIC UTILITIES BOARD (PUB) MEETING  
TUESDAY- -SEPTEMBER 2, 2008- -6:30 p.m.

Mayor Johnson convened the Special Joint Meeting at 6:35 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore, Matarrese, Tam, and Mayor Johnson; Board Members Hamm, Holmes, Kurita, McCahan, and McCormick - 10.

Absent: None.

The Special Joint Meeting was adjourned to Closed Session to consider:

(08-362) Conference with Legal Counsel - Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9; Number of cases: One.

Following the Closed Session, the Special Joint Meeting was reconvened and Mayor Johnson announced that Council and the PUB received a briefing from Legal Counsel and outside Counsel regarding anticipated litigation; no action was taken.

Adjournment

There being no further business, Mayor Johnson adjourned the Special Meeting at 7:50 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.



MINUTES OF THE SPECIAL JOINT CITY COUNCIL, COMMUNITY  
IMPROVEMENT COMMISSION (CIC), AND HOUSING AUTHORITY  
BOARD OF COMMISSIONERS (HABOC) MEETING  
TUESDAY- -SEPTEMBER 2, 2008- -7:25 P.M.

Mayor/Chair Johnson convened the Special Joint Meeting at 7:55 p.m.  
Commissioner Torrey led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers/Commissioners deHaan,  
Gilmore, Matarrese, Tam, Commissioner  
Torrey and Mayor/Chair Johnson - 6.

Absent: None.

AGENDA ITEM

(08-47CIC) Recommendation to approve a long-term Lease of the Esperanza public housing complex from the Housing Authority of the City of Alameda to the Community Improvement Commission;

(08-47A CIC) Recommendation to approve the Housing Authority to enter into a Management Agreement with the CIC to manage Esperanza;

(HABOC) Resolution No. 803, "Regarding Disposition of Public Housing." Adopted; and

(08-363CC) Recommendation to authorize the Mayor to Sign a Letter in support of the disposition of the Esperanza public housing complex to the CIC through a long-term lease arrangement.

The Housing Authority Executive Director gave a brief presentation.

Mayor/Chair Johnson inquired how long Esperanza has been operating in a deficit, to which the Housing Authority Executive Director responded three years.

Mayor/Chair Johnson inquired whether deferred maintenance is the result of the on-going deficit.

The Housing Authority Executive Director responded in the affirmative; stated several kitchen cabinets need to be replaced as well as tub surrounds.

Mayor/Chair Johnson inquired whether deferred maintenance would continue if the recommendation were not approved.

The Housing Authority Executive Director responded in the affirmative; stated nationwide, \$25 billion is needed in capital improvements for all public housing.

Bill Smith, Alameda, discussed maintenance and earthquakes.

Vice Mayor/Commissioner Tam stated that the staff recommendation is appropriate and is a creative conversion to access more funding for deferred maintenance; opportunities for affordable homes would increase.

Vice Mayor/Commissioner Tam moved approval of the staff recommendations and adoption of resolution.

Councilmember/Commissioner deHaan seconded the motion, which carried by the following voice vote: Ayes: Councilmembers/Commissioners deHaan, Gilmore, Matarrese, Tam, and Mayor/Chair Johnson - 5. Abstentions: Commissioner Torrey - 1.

#### ADJOURNMENT

There being no further business, Mayor/Chair Johnson adjourned the Special Joint Meeting at 8:09 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk  
Secretary, Community Improvement  
Commission

The agenda for this meeting was posted in accordance with the Brown Act.